

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN 10 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FRANCISCO MEDINA CASTENEDA,

Defendant - Appellant.

No. 05-10372

D.C. No. CR-03-00549-EJG
Eastern District of California,
Sacramento

ORDER

Before: GOODWIN, D.W. NELSON, and CALLAHAN, Circuit Judges.

The Petition for Rehearing is GRANTED in part. The Memorandum
Disposition filed July 18, 2007, is WITHDRAWN. The Petition for Rehearing En
Banc is DENIED as moot.